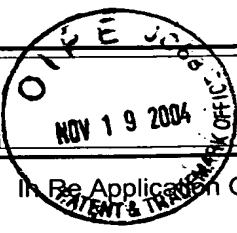


3627



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
YOR920000041

In Re Application Of: **F. Cheng, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/551,118	April 17, 2000	R. Laneau	30743	3627	1233

Title: **LARGE INVENTORY-SERVICE OPTIMIZATION IN CONFIGURE-TO-ORDER SYSTEMS**

COMMISSIONER FOR PATENTS:


Transmitted herewith is:

STATEMENT OF INTERVIEW

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0510** as described below.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **November 19, 2004**

Clyde R Christofferson
Reg no. 34,138
Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
703-787-9400

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

HAND DELIVERED

Typed or Printed Name of Person Mailing Correspondence

CC:



YOR9-2000-0041

00280619aa

Statement of Interview dated 11/19/2004 Response to Interview held on 11/11/2004

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Feng Cheng et al.

Serial No. 09/551,118

Group Art Unit 3627

Filed April 17, 2000

Examiner R. Laneau

For LARGE INVENTORY-SERVICE OPTIMIZATION IN CONFIGURE-TO-
ORDER SYSTEMS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT OF INTERVIEW

Sir:

In response to the Office Action mailed July 13, 2004, a Request for Reconsideration submitted on September 13, 2004, an Advisory Action mailed October 19, 2001, and a telephone interview with the Examiner on November 11, 2004, please enter the following statement of the substance of the interview, submitted in accordance with MPEP §713.04:

The Examiner's consideration in allowing a telephone interview in this case on November 11, 2004, is acknowledged with appreciation. Inventor Dr. Markus Ettl participated in the interview, along with the undersigned counsel for the applicant. An Article 132 Declaration by Dr. Ettl was presented to the Examiner for the interview and served to guide the discussion. This Article 132 Declaration is attached to this Statement of Interview as Appendix A. At the outset of the interview counsel

briefly reviewed the history of this prosecution, noting the prior interview with former Examiner Brian Jaketic on April 1, 2004. Dr. Ettl then reviewed the Aykin reference which had been addressed in the earlier interview, noting that Aykin – like the present invention – is applicable to large scale inventory management. It had been demonstrated to the satisfaction of the prior examiner that Aykin's method did not consider cost differences between components in a bill-of-materials, and that Aykin's cost optimization method only produced the same result as the present invention when all components have the same cost (see ¶¶5-7 of the Article 132 Declaration). The Examiner asked Dr. Ettl whether the \$100,000 difference in inventory costs between Aykin and the present invention, as shown in the chart attached to the Article 132 Declaration (and previously as Attachment A to a prior filing in the case), was significant, Dr. Ettl replied that this difference of about 10% was significant for the computer business.

Dr. Ettl then reviewed the Brinkley reference, noting that – unlike Aykin – Brinkley did not address the assembly-type inventory management problems addressed by the present invention, and could not be applied thereto. Brinkley provided a method for evaluating and classifying individual inventory items and recommending for each item which one of six generic inventory strategies would be optimal. But the six inventory strategies are well known, and there is nothing in them or in Brinkley to suggest application to the inventory management problem addressed in Aykin and the present invention.

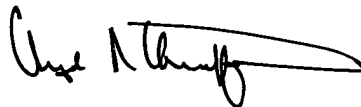
Dr. Ettl said that two of the six inventory strategies described in Brinkley use product costs in their calculations of economic order quantities (EOQ), but the EOQ formula for a single product scenario is unrelated to the problem address by the present invention because it does not capture interdependencies introduced through bills-of-material. Brinkley cannot be combined with or extended to an assembly-type

model such as Aykin's or that of the present invention (see ¶¶10-11 of the attached Article 132 Declaration).

The Examiner listened to what Dr. Ettl had to say, and indicated that the argument was persuasive. However, he advised that he would need to have his superiors review the matter, and would need a formal submission that included the Article 132 Declaration, a summary of the interview, and the argument.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account 50-0510 (IBM-Yorktown).

Respectfully submitted,



Clyde R Christofferson
Reg. No. 34,138

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190
703-787-9400
703-787-7557 (fax)

Customer No. 30743

APPENDIX A